

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WP No.33293 of 2017**

ORDER::

The petitioner challenges the show cause notice for removal from service issued to him vide proceedings dated 14-09-2017 by the 2<sup>nd</sup> respondent.

2. Learned counsel for the petitioner strenuously contended that before seeking to pass the order of removal by way of the impugned show cause notice, ex-prate enquiry was conducted and no opportunity whatsoever was given to the petitioner to prove his innocence in the case and such an exercise on the part of the respondents is wholly in violation of principles of natural justice and therefore, the same is liable to be set aside. It is also stated that the petitioner has filed his detailed explanation to the impugned show cause notice dated 14-09-2017 and it stated by the learned Standing Counsel for the respondent-Corporation that the explanation of the petitioner dated 03-10-2017 has been received by the 2<sup>nd</sup> respondent sent by way of registered post.

3. In this case, it is to be seen that it is not the case of the petitioner's counsel that the impugned show cause notice is issued without jurisdiction. The various allegations made by the petitioner's counsel as to conduct of enquiry and petitioner's his innocence to the charge are all grounds stated to be raised in the explanation filed by the petitioner on 03-10-2017 to the impugned show cause notice dated 14-09-2017. As things stand, there is no order passed on merits of the matter. Normally, this Court will not interfere with issuance of show cause notice

unless the same is issued without jurisdiction. Inasmuch as the petitioner has already filed explanation to the impugned show cause notice dated 14-09-2017, the 2<sup>nd</sup> respondent is directed to consider the same and pass appropriate of orders thereon, in accordance with law.

4. With the above directions the writ petition is disposed of. Miscellaneous petitions, if any pending in this case are also disposed of. There shall be no order as to costs.

Dated:05-10-2017  
NRG



**A.RAJASHEKER REDDY, J**

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

WP No.33292 of 2017

WEB

Nrg

Dated:05-10-2017

